

Before the Board of Zoning Adjustment, D. C.

Application No. 10814, of the President and Directors of Georgetown College, pursuant to Section 8207.2 of the Zoning Regulations for approval of their University Campus Plan as provided by Section 3101.46 of the Zoning Regulations, located at 3800 Reservoir Road, N. W., and University land lying within the squares bounded by 37th and 36th Streets, N. W., P and Prospect Streets, N. W., and 36th and 35th Streets between N and Prospect Streets, N. W., Square 1321 and parts of Squares 1248, 1226, 1223 and 1222.

HEARING DATE: May 22, 1973, September 25, 1973, November 8, 1973

EXECUTIVE SESSION: February 26, 1974, March 20, 1974

FINDINGS OF FACT:

1. The applicant requests approval of university owned land (bordered to the north by Reservoir Road, N. W., to the west by Glover Archibald Park; to the south by the university's property line, extending eastward along Prospect Street, N. W. to 35th Street, N. W. with the exclusion of the southern frontage of Square 1223; and bordered to the east by 35th Street, N Street, N. W., to 36th Street, N. W., 36th Street to P Street, N. W. with the exclusion of eastern frontage of Square 1248, and the property of the Sisters of Visitation) as the Master Campus boundary as shown in applicant's Exhibit A, Page B, illustrative site plan, "This plan is a projection of development for 1985 with a planned total student enrollment of 10,000 pupils (full time and special education enrollment).

2. The Board finds that the applicant owns 82% of the land in Square 1248, 94.7% of the land in Square 1226, 82.7% of the land in Square 1223, and 95.3% of the land in Square 1222, all of these squares being located east of 37th Street, N. W. and included in the proposed campus boundary.

3. The university does not intend to acquire additional property to implement its master plan. It is utilizing currently owned property.

4. The proposed boundary as described in Finding of Fact number one (1), was approved, subject to certain restrictions as to scale of development in those squares east of 37th Street, by the National Capital Planning Commission on July 22, 1966 for purposes of the Comprehensive Plan and recommendation to the Board of Zoning Adjustment on application for college or university use in

a residential district under paragraph 3101.46 of the Zoning Regulations. The National Capital Planning Commission reported and the Board finds that the campus boundary as described is therefore in conformance with the "General Land Use Objections 1970/1985" element of the Comprehensive Plan for the National Capital (NCPC report of May 3, 1973).

5. As required by paragraph 3101.46 (e) the National Capital Planning Commission by letter dated May 8, 1973 reported to the Board that at the Commission's meeting of May 3, 1973 it voted to recommend approval of the University's "Long Range Development Plan - the main campus including the Medical Center" dated May 1971, revised April 4, 1973.

6. As required by paragraph 3101.46 (e) the National Capital Planning Commission by letter dated May 8, 1973 reported to the Board that at the Commission's meeting on May 3, 1973 it voted to recommend approval of the university's application for college or university uses in a residential district under paragraph 3101.46 of the Zoning Regulations. The National Capital Planning Commission reported, and the Board finds, that the campus boundary as described is therefore in conformance with the "General Land Use Objectives 1970/1985" element of the Comprehensive Plan for the National Capital (NCPC report of May 3, 1973).

7. As required by paragraph 3101.46 (e) of the Regulations, the Department of Highways and Traffic reported, and the Board finds that because of the volume of traffic into Canal Road from the university's south access road especially during peak hours of traffic that the south bound access road should be enlarged to three (3) lanes. The report also recommended, and the Board finds that an at grade intersection be created at the point where the southbound access road connects with Canal Road.

8. Citizens in opposition to applicant's proposed Master Campus Plan were represented at public hearings by the Georgetown Corporation, the Georgetown Citizens Association and the Burleith Citizens Association.

9. The Board finds that the Georgetown Citizens Association is concerned about and objects to the use of land by the university east of 37th Street boundary for university purposes as an encroachment on the residential character of the Georgetown community. The citizens further object to the increase of the student body and faculty which they allege will increase the level of traffic in the neighborhood and increase already existing parking problems. The citizens argue that instead of extending its boundaries beyond and east of 37th Street, the university could make more efficient use of its property located to the west.

10. The Georgetown Corporation objects to the inclusion of the commercial property located in Square 1223 as a part of proposed campus plan because the proposed redevelopment is for a commercial use as opposed to a university use. The Georgetown Corporation argued that the Board cannot approve this proposed commercial use as a part of the subject campus plan under Section 3101.46 which is special exception for school use.

11. The Burleith Citizens Association, which is located to the north of the university's access to the Reservoir Road boundary, is opposed to the development of the campus because of the increased volume of traffic which would result in addition overflow parking in their residential neighborhood. They also object to the lack of adequate screening of parking facilities located at the medical center which can be seen from their homes.

12. In order to solve parking and traffic problems, the university proposes to increase on-campus student housing to reduce car ownership, and a student shuttle bus to begin operation in the fall of 1974.

13. The Board finds that 65% of the traffic generated by the university enters from the university's south access road via Canal Road, that 25% of the traffic enters through the main campus, and 10% enters through the university's medical center at the Reservoir Road entrances.

14. The Board finds that the applicant proposes to increase its campus residential capacity from 41% to 80% of its students and faculty.

15. The Board finds that the university proposes to increase its present number of campus parking spaces from 2,600 to 6,500.

16. The Board finds that the university proposes to build this new student residence on square 1226 to appear as R-3 row house structures.

17. The Board finds that the opposition objects to this specific proposal on grounds that dormitory use of the land east of 37th Street would increase the density and intensity of use of land in their residential neighborhood, and create additional noise and traffic.

18. The Board finds that the opposition objects to the proposed dormitory use on Square 1226 as an unreasonable campus expansion into their neighborhood.

19. The Board finds that since 1963, the property located on Square 1226 has been used as office space by the university with approval by this Board as shown in applicant's Exhibit A. Page R, "Georgetown University Master Plan.

20. The Board finds that the university proposes to house 540 students in the proposed dormitory in Square 1226.

21. The Board finds that the university owns 95.3% of Square 1222 which is located further east into the Georgetown Community (east of 36th Street between N Street, N. W. and Prospect Street, N. W.), and that the university has used it for academic purposes since 1929. See applicant's Exhibit A, Page E Lots east of 37th Street owned by Georgetown University, "Georgetown University Master Plan."

22. The applicant also specifically proposes to redevelop that portion of its campus which is included in the proposed campus plan boundaries located west of 36th Street in a portion of Square 1223 as shown in Exhibit A Page 8 of the illustrative site plan "Georgetown University Campus Plan" for commercial uses.

23. The Board finds that the part of Square 1223 to be redeveloped is located in the C-1 Zone and owned by applicant, university.

24. The Board finds that the university owns those portions of Squares 1248, 1226, 1223 and 1222 which are proposed for inclusion in the proposed campus boundary before the Board, as shown in applicant's Exhibit A, Page E lots east of 37th Street owned by Georgetown University, "Georgetown University Master Plan."

25. The Board finds that a total of eleven (11) buildings of historical designation are located in Squares 1248, 1226 and 1223 which are east of 37th Street, N. W. and proposed as a part of the university's official campus plan boundary. See applicant's Exhibit A, Page E of buildings and addresses, lots east of 37th Street, N. W. owned by Georgetown University, "Georgetown University Master Campus Plan."

26. The Board finds that the university has made use of the majority of the property east of 37th Street, except the C-1 portion of Square 1223 for university purpose for at least 10 years, and some of the land since 1929.

27. The Board finds that the open green spaces which exist on the applicant's campus are used for physical education, intra-mural sports activities, and recreation purposes by students and people from the surrounding neighborhood.

28. The Board finds that many Georgetown students live in apartments and rooms rented to them by persons living and owning property in the Georgetown community.

29. The Board takes notice of the fact that a commercially zoned district exists approximately five (5) blocks away from the Georgetown University Campus on Wisconsin Avenue.

30. The Board finds that the traffic congestion and level of noise in the subject neighborhood is not caused solely by the university uses which exist in this area.

OPINION AND CONCLUSIONS OF LAW:

The Board, in deciding this application for approval of Georgetown University Master Plan, finds the issues involved very

difficult to resolve in light of the residential characteristics of the Georgetown and Burleith Neighborhoods involved, and their objections in relationship to the needs of the applicant as a property owner and a city college where expansion is limited. It is the Board's opinion that the establishment of official campus boundaries for the university shall protect the residential neighborhoods involved from unreasonable expansion.

The Board is of the opinion that traffic and noise problems in the area of the subject campus are not caused solely by the applicant, but are a result of both university uses, residential uses, and commercial uses which exist on and behind Wisconsin Avenue only five (5) blocks away from 37th Street.

The Board concludes, based on the Findings of Fact, that the applicant has complied with Section 3101.46 of the Zoning Regulations and that the university's proposed uses under the subject campus plan are not likely to become objectionable by reason of noise, traffic and increase of number of students.

The Board further concludes that the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property.

ORDERED:

That the above application be GRANTED on the following conditions:

The university shall be developed in accordance with Exhibit "A" submitted June 4, 1973, however, where the following conditions are more restrictive they shall control.

1. All structural additions and changes shall be approved by the Board.

2. All external changes and new construction shall be approved by the National Commission of Fine Arts prior to review by the Board.

3. Necessary and appropriate adjustments on that part of the campus to the west of 37th Street, N. W. will be considered

by the Board as they may result from the restrictions imposed herein for the campus area east of 37th Street, N. W.

4. The campus boundary shall be as shown on the "Existing Facilities & Topography Plan," "Exhibit A and the university may not acquire any property beyond this boundary for university purposes without the prior approval of the Board.

5. As each structural improvement is submitted to the Board the university is required to submit a parking analysis and plan to show that the development of parking facilities is keeping pace with other campus development.

6. In that part of the campus east of the 37th Street, N. W. development shall be limited as follows:

- a. In the area zoned C-1 development shall be limited to three (3) stories and 1.0 F.A.R. and every effort should be made to retain and restore the existing building.
- b. Every effort should be made to retain and maintain all the existing residential structures.
- c. New student residential accommodations shall be limited to 540 with no more than 360 to be located in Square 1226.
- e. The proposed new student residential complex proposed in Square 1226 shall be built to conform to R-3 row house appearance and limited to a height of 40 feet. Before construction of this dormitory, the university must make application to the Board for approval of its construction and landscaping plans.

7. That the university close all automobile entrances on the 37th Street which allow traffic flow into its main campus area from 37th Street. N. W.

8. That the university construct a three (3) lane at grade intersection where its south access road connects with Canal Road.

9. That the university construct screening walls around the existing parking facility near its Reservoir Road entrances in order

to shield the cars parked there from the view of the Burleith neighborhood.

10. That the university construct those roads and access ways as shown in Exhibit A, Page D, Vehicular Traffic and Parking Plan, "Georgetown University Master Plan."

11. That the university provide as it proposes, a total of 6,500 parking spaces on its campus.

VOTE: 3-2 (Mr. Scrivener and Lilla Burt Cummings, Esq., dissenting.)



Application No. 10814- Approval of Georgetown University Master  
Campus Plan

PUBLIC HEARINGS

May 22, 1973

September 25, 1973

November 8, 1973

Dissenting Opinion of Samuel Scrivener, Jr.

After careful study of the plans and statistics presented by the university, and after literally years of consideration of the case, and after several public hearings, I have come to the conclusion that I cannot vote for the adoption of the campus boundaries or uses as proposed by the university and approved by the majority of the Board.

The facts of the matter according to the presentation by the university and as developed at public hearings are as follows:

The university proposes to increase its uses in the four blocks west of 37th Street, while at the same time, continuing the use of two athletic fields to the west of 37th Street and adjacent the Glover Archbold Park. I do not believe that this is a proper allocation of land use in the midst of a crowded city, and I do believe that living, classroom and parking uses should be made of the athletic fields. I do not believe that additional university uses should be permitted east of 37th Street.

The population of the campus at this time, and as projected, according to figures presented by the university is as follows:

	<u>Students</u>	<u>Employees</u>	<u>Total</u>
Present	8,326	4,404	12,730
Projected	9,260	5,902	15,162

At this time the university provides 2,641 on-campus parking spaces which, it is agreed, is more than required by the Zoning Regulations. The university expects eventually to provide 6,472 on-campus parking spaces, which is again more than required

by the Zoning Regulations. Not only does this speak badly of the Zoning Regulations, but the numbers involved indicate a formidable number of automobiles passing through and around the adjacent parts of Georgetown and Burleith in going to and from the campus. Testimony at the public hearing shows that parking from the university overflows the adjacent areas of Georgetown and Burleith, and it is obvious that the university has not made adequate provision for parking.

At this time there is a deficiency of 495,977 square feet from HEW standards exclusive of the medical center.

Testimony at the public hearings establishes that the university has not made adequate provision for student housing. The university's presentation does not approach this question.

A decision in this case, which must be entirely under Section 3101.46, is somewhat of an exercise in futility as while this case has been pending before the Board the university has constructed a Law Center in another part of the city and has purchased the Alban Towers Apartment House for student housing, both without any reference to this Board and quite outside of campus considerations.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:   
JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: 7/11/74

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 10814, of the President and Directors of Georgetown College, pursuant to Sub-section 8207.2 of the Zoning Regulations, for review and approval of its campus plan under Paragraph 3101.46 for the university and medical campuses located at 3800 Reservoir Road, N.W., (Squares 1321, 1222 and 1226 and parts of Squares 1223 and 1248).

HEARING DATES: April 23 and May 10, 1977  
DECISION DATE: June 7, 1977

FINDINGS OF FACT:

1. In this application, the President and Directors of Georgetown College request approval of its campus plan pursuant to Paragraph 3101.46 of the Zoning Regulations and not for the approval of a special exception.
2. This application was the subject of hearings held by this Board in 1973 and 1974, and of an Order of the Board dated July 11, 1974, and modified on October 21, 1974.
3. This Order was appealed to the District of Columbia Court of Appeals. In an Order handed down on October 21, 1976, the Court reversed this Board's decision and remanded the application to the Board for further consideration.
4. In light of the length of time that had passed since the application was last before the Board and the resulting changes in the membership of the Board, and of changes in the conditions of the University's present campus and future plans, as well as the length and complexity of the record, the Chairman ruled that the rehearing would proceed de novo. Therefore, the exclusive record of this case consists solely of the 1977 hearings and submissions.
5. The campus plan is shown and described in the booklet submitted to the Board entitled "Campus Development Plan" which is dated April, 1977. The plan referred to and was accompanied by a series of attachments that were bound into another, untitled volume.

6. The Georgetown University Campus (save for the Law Center located at 600 New Jersey Avenue, N.W.) comprises the entirety of Squares 1222, 1226 and 1321, and the major portions of Squares 1223 and 1248. It is generally bounded by Reservoir Road on the north, Canal Road and Prospect Street on the south, the Glover-Archbold Park on the west, and on the east by the Convent and High School of the Sisters of the Visitation and portions of "P", "O", 36th, "N", 35th, Prospect and 37th Streets. This boundary on the east is more exactly shown on the plan marked "Record Lots - Lots east of 37th Street owned by Georgetown University", marked as drawing 10 of the campus plan.

7. Since adoption of the Zoning Regulations in 1958, the university has submitted six plans to the Board of Zoning Adjustment. All of the property proposed for inclusion in the 1977 plan has also been included in the previous plans.

8. The plan's campus boundaries include, for the most part, land owned by the university and actively devoted to university use for almost 200 years. This Board has approved numerous buildings and uses within the campus. The boundaries also include nine lots in private, non-university ownership in Squares 1222, 1223, 1226 and 1248, as shown on drawing 10 of the Campus Plan. The university does not require any of these lots to fully implement the Campus Plan.

9. University uses exist in all of these squares, and the Board has approved applications for special exceptions in each square, save for the uses found in Square 1222. Those uses found in Square 1222 were all established prior to the adoption of the Zoning Regulations, with dates of construction ranging from 1898 to 1958, and are not required to be approved by the Board.

10. The university is the principal occupant and land owner in each of the squares included within the campus boundary, owning 100% of Square 1321, 96.8% of Square 1222, 82% of Square 1223, 94.4% of Square 1226, and 89.9% of Square 1248.

11. The National Capital Planning Commission adopted the boundary used in this plan in 1966. Furthermore, in a report to this Board in regard to this case, the National Capital Planning Commission reaffirmed that this boundary conforms to the "General Land Use Objectives 1970/1985" element of the Comprehensive Plan for the National Capital. The Municipal Planning Office also recommended approval of the campus boundaries as proposed by the university for its long-range planning.

12. The Board finds that there was no opposition to the southern, western, northern, and northeastern campus boundaries, and that these boundaries conform to the ownership pattern of the university, as well as to the natural urban barriers of parks and thoroughfares.

13. Opposition to the eastern boundary was presented. Opponents of the plan stated that university use in property east of 37th Street, N.W., constitutes an unreasonable expansion into a residential neighborhood.

14. The University has owned property in the square in dispute since the early 1800's, and university uses have been continuously located in these squares since the turn of this century. Notable university uses have included the old Georgetown University Hospital, now Loyola, Nevils, Xavier, and Ryder Halls (1898 to the present), the Walsh Building (1958 to present); the temporary classroom buildings in Square 1226 (1947-1971); and Poulton Hall (since 1948).

15. In Orders 6773, 6351, 7132, 6869, and 6392, the Board has approved applications under Paragraph 3101.46 by the University for special exceptions to allow offices and research facilities to be located in townhouses in these squares.

16. The University is the dominant landowner in this disputed area, owning over ninety per cent of the total land area. Only thirty-seven per cent of the land is devoted to residential uses.

17. The plan is divided into four stages. First, the plan discusses the presently existing campus plan and the present population, capacity, parking, and facilities. Second, the plan reviews the two projects the university had pending before the Board of Zoning Adjustment at the time of consideration of this case. These projects, the Student Recreational Complex, and the addition to the Heating and Cooling Plant, are the subject of application numbers 12302 and 12316 respectively. Third, the plan analyzes proposed campus development to 1982, which consists of five separate projects. Forth, the plan outlines a long range plan which illustrates the maximum growth potential for the campus. These stages are sufficiently distinct that they may be reviewed and considered independently.

18. All of the development outlined in each of the stages will occur within the campus boundary. Neither expansion of the campus nor acquisition of more property is required to implement any phase of the plan.

19. Georgetown University was founded in 1789 and is fully accredited. It has been located on its present campus since its founding. It offers degree and non-degree programs in its College of Arts and Sciences, School of Medicine, School of Dentistry, Nursing School, Graduate School, School of Foreign Service, School of Languages and Linguistics, School of Business Administration, and School for Summer and Continuing Education, all of which are located on the campus under consideration. Its Law Center is located at 600 New Jersey Avenue, N.W., and is not discussed in the plans submitted in this application.

20. The campus contains 101 acres, 100.4 acres of which are located within the campus boundary. Present structures contain 2.7 million square feet and cover 797,152 square feet providing a floor area ratio of .615 and a lot coverage of 18.2%, well under the Zoning Regulations limits of 1.8 floor area ratio and 60% lot coverage.

21. Presently, 8,791 students attend the University and are taught by 831 faculty members. The University also employs 3,832 non-academic staff. Thus, the total University population is 13,454. The Hospital has a capacity of 535 beds.

22. The University presently provides 2,534 parking spaces which meet the size requirements of the Zoning Regulations, 760 more than the number required under the Regulations. Additionally, there are 1,174 smaller-sized parking spaces provided for the use of small car owners. Furthermore, the university operates a shuttle bus service for its faculty and students. The bus routes serve the downtown Law Center, and key residential areas in Northwest Washington and Northern Virginia. The campus area is served by several Metrobus routes. Metrorail stations are planned for Roslyn and Foggy Bottom, as well as the already opened Dupont Circle Station. The University stated that it would expand its shuttle bus service to serve all three Metro Stations when operational.

23. Since its last Master Plan appearance in 1973, the University has initiated a series of innovative traffic management steps to reduce traffic and parking impacts in the University area.

These steps have included:

- a. Instituting the shuttle bus system which carries an average of 750 passengers a day;
- b. Increasing the number of parking spaces on campus through redesign of existing lots and construction of new facilities;
- c. Raising parking fees 300% to 400% in the four years since 1973 to discourage persons from driving to campus and encourage alternative modes of transportation;
- d. Encouraging carpooling by giving preferential treatment and reduced fees to carpoolers;
- e. Placing secure bike racks on campus;
- f. Restricting access to large campus lots to eliminate illicit parkers and persons passing through the campus;
- g. Improving the South Entrance to encourage its use;
- h. Constructing new student residence facilities on campus to increase the number of students living on campus and thereby reduce the number of students commuting to campus.

24. These steps have reduced the number of automobile trips to and from the campus by about 1500 per weekday and has reduced the number of University-related personnel desiring to park by approximately 1000 per weekday. These reductions constitute a substantial lessening of adverse impact on the neighboring residential streets by University-related vehicles.

25. The University is participating in a University Transportation Study, funded by the Urban Mass Transportation Administration. This study, will analyze the access to and from the University, the connections between Georgetown and other area universities, and design methods for improving access and intercampus travel. Other participants in the study include the Metropolitan Washington Council of Governments and the District of Columbia Department of Transportation. The report from this study is due in 18 months to two years.

26. Access to the University is from Reservoir Road on the north, Canal Road on the south and on the east from various north-south and east-west streets passing through the residential portion of Georgetown. Information from the University's traffic consultant indicates that at present, approximately forty-two per cent of the total traffic entering and leaving the main portion of the University uses the two gates on 37th Street, approximately eight per cent of the traffic uses the Canal Road access and the remaining fifty per cent uses the Reservoir Road access points.

27. A substantial and significant percentage of the total traffic on Reservoir Road and the Georgetown local streets is University related traffic. These percentages have remained relatively constant within the past ten years, and it is unlikely that they will significantly change in the future.

28. The prior plan presented to the Board in 1973 proposed the eventual modification of the south access from Canal Road to provide for access to and from both directions. Present access is limited to entry and exit from the campus in the westbound direction only. As a compliment to increasing access from the south, in its prior Order the Board directed that the access from 37th Street be eliminated.

29. It is extremely unlikely that the configuration of Canal Road will be substantially changed within the five year period until 1982 in order to provide access to and from the eastbound lanes. It is therefore necessary to continue access to the University via the 37th Street gates.

30. The levels of service on the various streets and at the various intersections around the campus differ widely. Some streets show a theoretical level of service of A or B, which is a high level of service. Others including Canal Road show a greater use and have a lower level of service. It is clear from personal observation that there is a great deal of traffic and congestion in the entire Georgetown area.

31. It is also clear that the University is but one of a number of sources for traffic on the streets. A large amount of such traffic is through traffic, having no origin or destination at all in the Georgetown area. This traffic impacts local streets, as well as the major commuter routes on "M" Street, Reservoir Road, Canal Road and Wisconsin Avenue. In addition, commercial and entertainment attractions on "M" Street and Wisconsin Avenue also attract large numbers of vehicles to the streets. In addition, the Georgetown residences and local commercial uses also generate additional traffic.



32. As noted above, the University has two projects presently pending before the Board. These two projects, the Student Recreational Complex and the Heating and Cooling Plant addition, constitute the immediate plans of the University. These projects have already been approved by the Board in Order No. 12302, dated August 19, 1977 and Order No. 12316, dated July 21, 1977. These two applications are incorporated into the plan and constitute the entire Phase II of the plan.

33. Georgetown University intends to build five projects in the period from 1977 to 1982. These projects will continue the University's policies of making qualitative improvements rather than quantitative growth and continuing to minimize adverse impacts on neighboring uses whenever possible.

34. The Vincent T. Lombardi Cancer Institute will be constructed immediate south of the recently completed Concentrated Care Center and will resemble that structure in design, height, and facade. It will house 35 additional beds and will house approximately 50 additional staff positions. However, the major amount of construction will be devoted to replacement space to allow the activities of the Institute to move out of crowded, sub-standard facilities. There will be no increase in student population due to this construction. It is located in the interior of the Campus, well away from all neighboring uses. The University has anticipated the traffic and parking impacts of this construction by the construction of Parking Garage "B" which is served by Reservoir Road. It is anticipated that this construction will lead to an increase in 440 vehicular trips to and from the campus.

35. The Animal Research Center will be located on approximately the same site as the present Animal House. It will allow more space for the housing and care of laboratory animals. There will be minimum increases in staff size and no increase in student population due to the construction of this facility. Since this is replacement space there will be no impacts as to traffic or parking from this facility. It will be located on the far western edge of the campus, well away from neighboring residential uses and no adverse impacts are expected due to noise or other objectionable conditions.

36. An Academic Building will be located on the west of White Gravenor Building and north of Copley Hall. Most of the building will be placed below the level of the eastern face of the campus and it will be oriented toward the center of the campus and away from neighboring residential uses. The building is designed to house many of the classroom and office activities presently located in Square 1222, on the edge of the campus. This will both relieve severe overcrowding of these buildings and reduce the impacts the University has on the neighboring residential uses. There will be no increase in campus population occasioned by this project and the Board expects positive impacts in the area of traffic and parking, noise and number of students in the eastern portion of the campus due to the significant reduction in levels of use in these buildings.

37. Student Residence Village "A" will be located immediately west of the campus library. It will consist of clusters of townhouses and flats that will house a total population of 500 residents. This facility is the second phase of the University's recent efforts to move more of its students back onto the campus. No increases in campus population are anticipated and the location of this site, well away from residential uses, will insure that there will be minimal adverse effects due to noise. The construction of this project will eliminate approximately 580 vehicular trips to campus, and will reduce the need for on-campus parking by approximately 290 spaces.

38. Student Residence Village "B" will be located in the block bounded by 36th, 37th, "N" and "O" Streets, on the former site of two temporary academic buildings, the last of which was torn down in 1971. Since that time, the land has been vacant. The University plans to build 60 townhouses on the property which will house six students each for a total population of 360. The houses will all be under 30 feet high and will blend into the architectural styles and materials of the Georgetown area. The University will submit the project to the Fine Arts Commission for approval. There will be no increases in campus enrollment due to this project. There will be no adverse traffic impacts from this project and positive impacts may be expected due to the lessening of traffic and parking occasioned by on-campus living as well the University's intention to prohibit residents from bringing cars to the campus area.

39. The cumulative effect of the Immediate Phase and the 1977-1982 Phase is to make only minimal changes in the present characteristics of the campus, as shown in the following comparison:

	<u>1977</u>	<u>1982</u>
Total land within boundary...	4,372,401 sq. ft.	4,372,401 sq. ft.
Gross floor area.....	2,689,045 sq. ft.	3,205,705 sq. ft.
Floor area ratio.....	.615	.733
Lot coverage.....	797,152 sq. ft.	982,513 sq. ft.
Percentage of lot coverage...	18.2%	22.5%
Number of students.....	8,791	8,930
Number of faculty .....	831	845
Number of staff.....	3,832	3,980
Total campus population.....	13,454	13,755
Classroom seats.....	6,818	7,000
Student residence beds.....	2,818	3,678
Hospital beds.....	535	571
Parking spaces required.....	1,774	1,834
Parking spaces provided	3,708	3,608

40. The University's long range plan was presented in general rather than specific terms. The University outlined its expectations for maximum growth and development without any timetable for achieving the levels presented. No special exceptions were requested by the University, nor was sufficient evidence produced by the University to provide a basis for the granting of a special exception.

41. The plan indicates that future development will occur in the center of the campus, well away from neighboring residential uses. Save for some additional construction in the Medical Center, future structures will take the form of highly intensive "living/learning" villages. These villages will combine residential and academic functions in subsurface podium structures with small-scaled buildings on top of the podium. The Board notes that this concept tends to understate gross floor area and bulk as those terms are defined by the Regulations.

42. The plan outlines a maximum campus population of 15,902, including 10,000 students, 977 faculty, and 4,925 staff. No further hospital beds are planned and the total will remain at 571.

43. The plan shows a maximum development of 6,188,992 gross square feet (1.42 F.A.R.) and a lot coverage of 1,644,263 square feet (37.6% lot coverage). These computations are the result of a maximum use study, given the Regulations and the desires of the University, rather than a precise timetable or outline for development. As a result, the Board finds that the plan is too vague to be approved or disapproved in specific terms.

44. The Campus Plan does outline full use of the existing campus without requiring expansion or extensive demolition. By intensifying the use of the central campus, the University has simultaneously limited its impact on neighboring uses and reserved an adequate amount of open space for athletics and for preservation of a "campus" distinct from the rest of the city.

45. The plan calls for most surface parking to be phased out and replaced with subsurface parking decks under the "living/learning villages." Maximum development of all decks would lead to a total capacity of 6,127 parking spaces. However, this is the maximum possible number of spaces and the University has indicated to the Board that it desires to build substantially fewer spaces if employee and student demand so allow.

46. The "beyond 1982" plan indicates a re-orientation of the campus vehicular traffic plan to a new entrance on the southern boundary of the campus. Testimony before the Board indicated that the final design of this entrance has not been achieved. The University transportation study, discussed above, will devote substantial time to determining and designing the optimal South Entrance. Also, testimony indicated that both the District and the University traffic planners anticipate substantial reductions in the volumes on Canal Road due to regional Metro construction and the national energy program, and that this reduction in traffic volume could simplify the South Entrance design. The relatively low rate of construction proposed by the University for the 1977-1982 period indicates that the need for a South Entrance is rather distant even beyond 1982 and that the effects and trend outlined above will thus have adequate time to develop.

47. The maximum development plan will substantially reduce University related traffic flow in the residential Georgetown area by intensifying the use of the South Entrance, moving more and more student housing onto the campus, and insuring adequate parking for University traffic.

48. The Municipal Planning Office, by report dated April 19, 1977 and by testimony presented at the hearing, recommended approval of the two special exceptions constituting the immediate phase of the Plan. The MPO recommended that the Plan for the period from 1977 to 1982 be approved, with the approval of residential village "B" east of 37th Street withheld until more detailed plans are submitted. The MPO recommended that the proposal beyond 1982 be approved in concept and be judged in detail at a later date when it becomes more specific.

49. The District of Columbia Department of Transportation, by memorandum dated April 22, 1977 and by testimony presented at the hearing, reported to the Board that: "For the five-year period between 1977 and 1982, no substantial change in either campus population or parking supply is proposed. It appears reasonable to assume that, likewise, no appreciable change in traffic service or impact will occur. In fact, it is likely that the 'innovative steps taken by the University to reduce traffic on streets within the residential areas of Georgetown' will decrease the demand for automobile usage." The Department further noted the pending transportation study, and did not take a position on post 1982 development. The Department did state its concern that the proposed number of parking spaces was so high as to encourage persons to drive to the campus rather than use public transportation.

50. The National Capital Planning Commission presented its report, dated May 3, 1973, which concerned the previous proposed campus plan dated April 4, 1973 and which found that the proposed building was in conformance with the "General Land Use Objectives 1970/1985" element of the Comprehensive Plan for the National Capital. The NCPC filed no new report on the University's Plan dated April, 1977.

51. Advisory Neighborhood Commission 3A took no position on the application.

52. The application for approval of the campus plan was opposed by the Citizens Association of Georgetown, the Georgetown Corporation, the Foundation for the Preservation of Historic Georgetown and a number of individuals. The opposition was based primarily on three grounds.

53. The opposition objected to approval of campus uses in the four squares east of 37th Street, outside the main walled campus of the University. The opposition stated that the area was zoned R-3 and should be used for residential purposes permitted in an R-3 District, that there was adequate land available within the main area of the campus to accommodate future growth, and that use of these four squares for University purposes would represent an unreasonable intrusion into the Georgetown residential community.

53. The opposition also objected to the traffic and parking conditions that result from the presence of the University in this location, and the intensification of those problems as a result of increased growth of the University under the proposed campus plan.

55. The opposition also objected to the Student Village "B" proposed to be located in the square bounded by 36th, 37th, "N" and "O" Streets, N.W., on the grounds that the proposed 360 students would constitute too much density in a residential area, and that the noise presented from such a residence village would be objectionable.

#### CONCLUSIONS OF LAW:

Based upon the preceding findings of fact, the evidence of record and the applicable Zoning Regulations, the Board concludes that Georgetown University is an academic institution of higher learning and eligible to apply for a special exception under Paragraph 3101.46. The Board has also carefully considered the various other issues raised in the record and in light of those issues, concludes that the campus plan should be approved.

On the matter of the campus boundaries, the record clearly reflects that the property which the University is requesting to be included in its boundary, including the property east of 37th Street, has been owned by the University and used for University purposes for many years. In addition, the proposed boundary has been used by the University for planning purposes for many years, and the proposed boundary was approved by the National Capital Planning Commission and recommended for approval by the Municipal Planning Office, the two planning bodies which have reviewed the application. The Board therefore concludes that the continuation of the University's use of the boundary does not represent an unreasonable expansion into a residential neighborhood.

The Board further concludes that the uses proposed by the University for the area east of 37th Street, are appropriate uses which would not adversely effect the use, character or enjoyment of surrounding properties.

On the matter of traffic, the record is clear on several points. First, there is traffic congestion on the streets surrounding the University, and the University accounts for a significant portion of that traffic. Second, a large volume of traffic is also not related at all to the University, being either through traffic or attracted to or generated by some other activity in Georgetown. Third, it is not reasonable to expect any change in the current access from the south off Canal Road in the period up until 1982. Fourth, the University has taken many steps to try and reduce the traffic and parking burdens which result from its presence in the area. Fifth, the plan proposed for the period up to 1982 does not represent a substantial intensification of the University's operations, and will not result in any worsening of present conditions. In fact, due to a number of factors, including the building of more on-campus residence facilities, the increasing availability of Metro, the Georgetown residential permit parking program and national energy policy among others, there may be less traffic congestion and less difficulty in parking in 1982 than there is at present. The Board therefore concludes that the proposed campus plan will not have an adverse effect because of traffic and will not create dangerous or otherwise objectionable traffic effects.

The Board notes that the entire campus, as well as the surrounding residential areas, is zoned R-3. The R-3 District is designed primarily for single family dwellings, row dwellings, semi-detached and detached dwellings. The Board notes that there is no underlying basis for stating that a property cannot be used for a college or university use simply because it is zoned R-3 and may be used for some residential purpose. This application is not for a use variance and the Board concludes that the applicant is not required to show that it could make some other use of the R-3 property. It is only required to prove that it meets the conditions of the special exception.

The Board further notes that Georgetown is a very complex area, that it is a highly diverse and urban area, and that part of the character of the area stems from the presence of the University. The Board concludes that the University must be considered as an element of the area, but that it cannot be held completely accountable for traffic or parking problems which it only partially creates.

The Board notes that there is some property included within the campus boundaries which is not owned by the University. The Board concludes that the approval of the campus plan does not affect any rights of any private individuals owning that property to use it in any manner consistent with the applicable Zoning Regulations. The Board concludes that the plan is binding only upon the University, and that to conclude otherwise would constitute an illegal deprivation of private property rights.

The Board notes that the Court of Appeals, in its prior consideration of this case, was concerned as to whether the application constituted a request for special exceptions to construct all the buildings shown on the plan. The Board concludes that in approving this campus plan, it is not approving the construction of any particular building, and that the University must apply to the Board for a specific special exception under Paragraph 3101.46 to construct any building shown on the plan.

DECISION:

Based on the preceding findings of fact and conclusions of law, the Board has determined that it is appropriate to approve a campus plan for Georgetown University. It is therefore ORDERED that the application be GRANTED, subject to the following conditions:

- (1) The plan shall be as shown in the Campus Development Plan, dated April 1977, and marked as Exhibit "P" in the record.
- (2) The boundaries of the University shall be those proposed in the plan, as specifically shown on drawings 1 and 10 of the Plan.

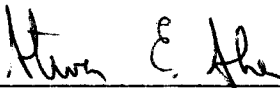


- (3) Approval of this plan shall include only those items as shown in the Phase up to 1982. The University shall reapply to the Board, or whatever body has jurisdiction at that time, for approval of a campus plan for the period beyond 1982.
- (4) The University shall submit to the Board as a special exception, each individual request to construct a building. Along with each request the University shall submit information as to how the particular request complies with the plan. Such information shall also include a detailed statement as to the effect of the proposed building on traffic and parking.
- (5) For the post - 1982 phase, the University shall make every effort to reduce the amount of traffic entering from the 37th Street access points and to encourage or require that that traffic enter from the south off Canal Road.
- (6) The University must continue the remedial traffic and parking proposal, and develop new proposals to limit the effect of the University on traffic and parking.

VOTE: 3-0 (William F. McIntosh, Charles R. Norris and Leonard L. McCants to GRANT, Theodore F. Mariani abstaining, Lilla Burt Cummings, Esq., not present, not voting).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
\_\_\_\_\_  
STEVEN E. SHER  
Executive Director

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF ORDER 19 DEC 1977

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 10814 of the President and Directors of Georgetown College, pursuant to Sub-section 8207.2 of the Zoning Regulations, for review and approval of its campus plan under Paragraph 3101.46 for the university and medical campuses located at 3800 Reservoir Road, N.W., (Squares 1321, 1222 and 1226 and parts of Squares 1223 and 1248).

HEARING DATES: April 23 and May 10, 1977  
DECISION DATE: June 7, 1977

O R D E R

1. By BZA Order No. 10814, dated December 12, 1977, the Board GRANTED this application with specific conditions.

2. The Citizens Association of Georgetown et al, filed a petition for review of the Order in the D.C. Court of Appeals.

3. By Judgement, dated June 21, 1979, the Court of Appeals Affirmed in part and Remanded for further consideration and appropriate disposition thereafter. In its opinion the Court stated as follows:

"The BZA's conclusion regarding campus boundaries was based in part on the finding of fact (No. 11) that the MPO had recommended approval of the proposed boundaries. Petitioners claim that this finding of fact is plainly erroneous. We agree. The record is quite clear that while the MPO approved the campus plan, it made no recommendation regarding the campus boundaries. We conclude, therefore, that the BZA's finding of fact No. 11 is erroneous.

In reaching this conclusion, we do not hold that the BZA's campus boundary ruling, which is otherwise supported, is necessarily erroneous. The BZA relied on a number of valid factors which might well sustain its conclusion. Nevertheless, it is not distinctly evident that the same conclusion would have been reached if the BZA had not relied on the erroneous finding of fact. Moreover, since determination of campus boundaries is a matter committed to the discretion of the BZA, this court is

not at liberty to say that BZA conclusion would not be affected by elimination of one of the findings of fact upon which the conclusion was based. Securities and Exchange Commission v. Chenery Corp., 318 U.S. 80, 88 (1943). Accordingly, we remand this case, pursuant to D.C. Code 1978 Supp. §1-1510, for a specific determination by the BZA as to whether its conclusion regarding campus boundaries will stand without consideration of this nonexistent recommendation."

4. The Board, in finding of fact No. 11 of the prior Order, determined that the National Capital Planning Commission adopted in 1966 the eastern boundary used in the Campus Plan and that in a report to the BZA in regard to the subject application the NCPC reaffirmed that this eastern boundary conforms to the "General Land Use Objectives 1970/1985" element of the Comprehensive Plan for the National Capital.

5. The Board further made the following findings in its prior Order:

"14. The University has owned property in the square in dispute since the early 1800's, and university uses have been continuously located in these squares since the turn of this century. Notable university uses have included the old Georgetown University Hospital, now Loyola, Nevils, Xavier, and Ryder Halls (1898 to the present), the Walsh Building (1958 to present); the temporary classroom buildings in Square 1226 (1947-1971); and Poulton Hall (since 1948).

15. In Orders 6773, 6351, 7132, 6869, and 6392, the Board has approved applications under Paragraph 3101.46 by the University for special exceptions to allow offices and research facilities to be located in townhouses in these squares.

16. The University is the dominant landowner in this disputed area, owning over ninety percent of the total land area. Only thirty-seven percent of the land is devoted to residential uses."

The Board finds that all of these findings are still valid.

6. The Board finds, upon review of its Order, that its findings regarding the campus boundaries, even without a favorable recommendation thereon from the Municipal Planning Office, are supported by ample evidence in the record.

CONCLUSIONS OF LAW AND OPINION:


On the matter of the campus boundaries, the Board concludes that the record clearly reflects that the property which the University is requesting to be included in its boundary including the property east of 37th Street, has been owned by the University and used for University purposes for many years. In addition, the proposed boundary has been used by the University for planning purposes for many years and the proposed boundary was approved by the National Capital Planning Commission, one of the two planning bodies which have reviewed the application. The Board therefore concludes, even without a direct favorable recommendation from the Municipal Planning Office on the boundary question, that the continuation of the University's use of the boundary does not represent an unreasonable expansion into a residential neighborhood.

Accordingly, it is ORDERED that the BZA Order No. 10814, dated December 19, 1977, is amended to delete the third sentence of finding of fact No. 11 which states "The MPO also recommended approval of the campus boundaries as proposed by the University for its long-range planning," and, as amended, is AFFIRMED. The conclusions of law on the campus boundary issue are as stated herein. In all other respects, the order of the Board dated December 19, 1977 shall remain in full force and effect.

VOTE: 4-0 (Walter B. Lewis, William F. McIntosh, Leonard L. McCants and Charles R. Norris to affirm as amended, Connie Fortune not voting, not having participated in the application.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 7 APR 1980

BZA APPLICATION NO. 10814

PAGE 4

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.